

**U.S. Bankruptcy Court
California Northern Bankruptcy Court (San Francisco)
Bankruptcy Petition #: 19-30088**

Assigned to: Judge Dennis Montali
Chapter 11
Voluntary
Asset

Date filed: 01/29/2019
Plan confirmed: 06/20/2020
341 meeting: 04/29/2019
Deadline for filing claims: 10/21/2019
Deadline for filing claims (govt.): 10/21/2019

Debtor

PG&E Corporation
77 Beale Street
P.O. Box 770000
San Francisco, CA 94177
SAN FRANCISCO-CA
(929) 333-8977
Tax ID / EIN: 94-3234914

represented by **Max Africk**
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000
TERMINATED: 11/12/2019

Peter J. Benvenutti
Keller Benvenutti Kim LLP
650 California St. 19th Fl.
San Francisco, CA 94108
(415) 364-6798
Email: pbenvenutti@kbklp.com

Kevin Bostel
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Lee Brand
Pillsbury Winthrop Shaw Pittman LLP
Four Embarcadero Center, 22nd Fl.
San Francisco, CA 94111-5998
415-983-1116
Email: lee.brand@pillsburylaw.com

Timothy G. Cameron
Cravath, Swaine & Moore LLP
Worldwide Plaza
825 8th Ave.
New York, NY 10019
(212) 474-1120

Jared R. Friedmann
Weil, Gotshal & Manges LLP
767 Fifth Ave.
New York, NY 10153
(212) 310-8000

Andriana Georgallas
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Stuart J. Goldring
Weil, Gotshal & Manges LLP
767 Fifth Ave.
New York, NY 10153
(212) 310-8000

Matthew Goren
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

David A. Herman
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000

David Franklin Hill, IV
Weil, Gotshal and Manges, LLP
767 Fifth Ave.
New York, NY 10153
(212) 310-8000

Stephen Karotkin
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Tobias S. Keller
Keller Benvenuti Kim LLP
650 California St. #1900
San Francisco, CA 94108
(415) 796-0709
Email: tkeller@kbkllp.com

Jane Kim
Keller Benvenuti Kim LLP
650 California St, Suite 1900
San Francisco, CA 94108
(415) 364-6793
Email: jkim@kbkllp.com

Katherine Kohn
Groom Law Group, Chartered
1701 Pennsylvania Ave, NW #1200
Washington, DC 20006
(202) 861-2607
Email: kkohn@groom.com

Kevin Kramer
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

David Levine
Groom Law Group, Chartered
1701 Pennsylvania Ave, NW #1200
Washington, DC 20006
(202) 861-5436

Email: dnl@groom.com

Dara Levinson Silveira
Keller Benvenuti Kim LLP
650 California St. #1900
San Francisco, CA 94108
415-364-6793
Email: dsilveira@kbkllp.com

Jessica Liou
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Omid H. Nasab
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000

John Nolan
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Kevin J. Orsini
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000

Scott Reents
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
212-474-1000
Email: sreents@cravath.com

Thomas B. Rupp
Keller Benvenuti Kim LLP
650 California Street, Suite 1900
San Francisco, CA 94108
415-636-9015
Email: trupp@kbkllp.com

Bradley R. Schneider
Munger Tolles and Olson LLP
350 S Grand Ave., 50th Fl.
Los Angeles, CA 90071
(213) 683-9100
Email: bschneider@kbkfirm.com
TERMINATED: 05/18/2022

Ray C. Schrock
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Richard W. Slack
Weil Gotshal and Manges, LLP

767 Fifth Ave.
New York, NY 10153-0119
(212) 310-8000
Email: richard.slack@weil.com

Theodore Tsekerides
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153
212-310-8000

Paul H. Zumbro
Cravath, Swaine & Moore LLP
85 Eighth Avenue
New York, NY 10019
212-474-1000
Email: mao@cravath.com

Responsible Ind
Jason P. Wells
Senior Vice President
Chief Financial Officer PG&E Corporation
77 Beale St.
San Francisco, CA 94177
(929) 333-8977

U.S. Trustee
Office of the U.S. Trustee / SF
Phillip J. Burton Federal Building
450 Golden Gate Ave. 5th Fl., #05-0153
San Francisco, CA 94102
(415) 705-3333

represented by **Jason Blumberg**
Office of the U.S. Trustee
501 I St. #7-500
Sacramento, CA 95814
(916) 930-2076
Email: jason.blumberg@usdoj.gov

Cameron M. Gulden
DOJ-Ust
300 Booth Street
Room 3009
Reno, NV 89509
775-784-5662
Fax : 775-784-5531
Email: cameron.m.gulden@usdoj.gov

Lynette C. Kelly
Office of the United States Trustee
Phillip J. Burton Federal Building
450 Golden Gate Ave. 5th Fl., #05-0153
San Francisco, CA 94102
(415) 252-2065
Email: ustpregion17.oa.ecf@usdoj.gov

Timothy S. Laffredi
Office of the U. S. Trustee – San Jose
280 South 1 St., Suite 268
San Jose, CA 95113
(408) 535-5525
Email: timothy.s.laffredi@usdoj.gov

Timothy S. Laffredi
Office of the U.S. Trustee – SF
450 Golden Gate Ave.
Suite 05-0153
San Francisco, CA 94102

(415) 705-3333
Email: timothy.s.laffredi@usdoj.gov

Marta Villacorta
Office of the United States Trustee
Phillip J. Burton Federal Building
450 Golden Gate Ave. 5th Fl., #05-0153
San Francisco, CA 94102
(415) 252-2062
Email: marta.villacorta@usdoj.gov

Creditor Committee
Official Committee Of Unsecured Creditors

represented by **Paul S. Aronzon**
Milbank LLP
2029 Century Park East, 33rd Fl.
Los Angeles, CA 90067
(424) 386-4000
Email: paronzon@milbank.com

James C. Behrens
Milbank, LLP
2029 Century Park E, 33rd Fl.
Los Angeles, CA 90067
(424) 386-4436
Email: jbehrens@milbank.com

Gregory A. Bray
Milbank LLP
2029 Century Park East, 33rd Fl.
Los Angeles, CA 90067
(424) 386-4470
Email: gbray@milbank.com

Erin Elizabeth Dexter
Milbank LLP
1850 K St., NW, #1100
Washington, DC 20006
(202) 835-7500
Email: edexter@milbank.com

Dennis F. Dunne
Milbank, LLP
55 Hudson Yards
New York, NY 10001-2163
(212) 530-5000
Email: ddunne@milbank.com

Samuel A. Khalil
Milbank, LLP
55 Hudson Yards
New York, NY 10001-2163
(212) 530-5000
Email: skhalil@milbank.com
TERMINATED: 08/30/2022

Thomas R. Kreller
Milbank LLP
2029 Century Park East, 33rd
Los Angeles, CA 90067
(424) 386-4463
Email: tkreller@milbank.com
TERMINATED: 08/30/2022

Andrew Michael Leblanc
Milbank LLP
1850 K St., NW, #1100
Washington, DC 20006
(202) 835-7500
Email: ALeblanc@milbank.com

Alan J. Stone
Milbank LLP
55 Hudson Yards
New York, NY 10001
(212) 530-5000
Email: AStone@milbank.com

Creditor Committee
Official Committee of Tort Claimants

represented by **Lauren T. Attard**
Baker Hostetler LLP
11601 Wilshire Blvd. #1400
Los Angeles, CA 90025-0509
(310) 820-8800
Email: lattard@bakerlaw.com

Chris Bator
Baker & Hostetler LLP
127 Public Square #2000
Cleveland, OH 44114
(216) 621-0200
Email: cbator@bakerlaw.com

Dustin M. Dow
Baker & Hostetler LLP
127 Public Square #2000
Cleveland, OH 44114
(216) 621-0200
Email: ddow@bakerlaw.com

Cecily Ann Dumas
Baker and Hostetler LLP
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA 94111-2806
415-659-2600
Email: cdumas@bakerlaw.com

Joseph M. Esmont
Baker & Hostetler LLP
127 Public Sq., #2000
Cleveland, OH 44147
(216) 861-7835
Email: jesmont@bakerlaw.com

Lars H. Fuller
Baker & Hostetler LLP
1801 California St #4400
Denver, CO 80202
(303) 764-4114
Email: lfuller@bakerlaw.com

Eric R. Goodman
Brown Rudnick LLP
601 Thirteenth St. NW, #600
Washington, DC 20005
(202) 536-1740

Email: egoodman@bakerlaw.com
TERMINATED: 04/07/2021

Elizabeth A. Green
BakerHostetler LLP
200 S. Orange Ave. #2300
Orlando, FL 32801
(407) 649-4000
Email: egreen@bakerlaw.com

Robert A. Julian
Baker and Hostetler LLP
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA 94111-2806
(415) 569-2600
Email: rjulian@bakerlaw.com

Elyssa S. Kates
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111
(212) 589-4227
Email: ekates@bakerlaw.com

Kody D. L. Kleber
Baker & Hostetler LLP
811 Main St., #1100
Houston, TX 77005
(713) 703-1315
Email: kkleber@bakerlaw.com

John H. MacConaghy
MacConaghy and Barnier
645 1st St. W #D
Sonoma, CA 95476
(707) 935-3205
Email: macclaw@macbarlaw.com

Kimberly S. Morris
Baker & Hostetler LLP
Transamerica Pyramid Center
600 Montgomery Street, Suite 3100
San Francisco, CA 94111
(415) 659-2600
Email: kmorris@bakerlaw.com

David J. Richardson
Baker & Hostetler, LLP
11601 Wilshire Blvd.,
14th Floor
Los Angeles, CA 90025
(310) 442-8858
Email: drichardson@bakerlaw.com

David B. Rivkin, Jr.
Baker and Hostetler LLP
1050 Connecticut Ave., N.W., #1100
Washington, DC 20036
(202) 861-1731
Email: drivkin@bakerlaw.com

Jorian L. Rose

Baker & Hostetler LLP
 45 Rockefeller Plaza
 New York, NY 10111
 (212) 589-4200
 Email: jrose@bakerlaw.com

Eric E. Sagerman
 Baker and Hostetler LLP
 11601 Wilshire Blvd. #1400
 Los Angeles, CA 90025
 (310) 442-8875
 Email: esagerman@bakerlaw.com

Catherine E. Woltering
 Baker & Hostetler LLP
 Key Tower, 127 Public Sq., #2000
 Cleveland, OH 44114-1214
 (614) 462-2677
 Email: cwoltering@bakerlaw.com
 TERMINATED: 04/01/2020

Filing Date	#	Docket Text
10/29/2022	<u>13135</u>	Certificate of Service of <i>Liz Santodomingo Regarding Notice of Interlocutory Appeal; Motion for Leave to Appeal</i> Filed by Other Prof. Kroll Restructuring Administration LLC (related document(s) <u>13084</u> Notice of Appeal). (Malo, David) (Entered: 10/29/2022)
10/30/2022	<u>13136</u>	Appellant Designation of Contents For Inclusion in Record On Appeal , Statement of Issues on Appeal and Certificate Regarding Transcript (RE: related document(s) <u>13084</u> Notice of Appeal filed by Interested Party Ricky–Dean Horton). Appellee designation due by 11/16/2022. Filed by Interested Party Ricky–Dean Horton (dc) (Entered: 10/31/2022)
11/07/2022	<u>13159</u>	Notice of Correction to Filing Date to Conform to the Filing Dates set Forth by the Bankruptcy Court and the Appellate Court. (RE: related document(s) <u>13084</u> Notice of Appeal to District Court , Fee Amount \$ 0.00. (RE: related document(s) <u>10980</u> Order on Objection). Appellant Designation due by 10/31/2022. Statement of Issues due by 10/31/2022. Transmission of Record to District Court due by 11/14/2022. Filed by Interested Party Ricky–Dean Horton (myt)). Filed by Interested Party Ricky–Dean Horton (dc) (Entered: 11/07/2022)
11/07/2022	<u>13160</u>	Certificate of Service (RE: related document(s) <u>13084</u> Notice of Appeal, <u>13136</u> Appellant Designation, Statement of Issues on Appeal). Filed by Interested Party Ricky–Dean Horton (dc) (Entered: 11/07/2022)
11/14/2022	<u>13251</u>	Appellee Designation of Contents for Inclusion in Record of Appeal <i>Reorganized Debtors' (I) Response to Appellant Ricky–Dean Horton's Statement of Issues and Designation of Record, (II) Appellee's Designation of Additional Items to Be Included in the Record on Appeal, and (III) Response to Motion for Leave to Appeal</i> (RE: related document(s) <u>13084</u> Notice of Appeal filed by Interested Party Ricky–Dean Horton). Filed by Debtor PG&E Corporation (Rupp, Thomas) (Entered: 11/14/2022)

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
4

5 In re:	Bankruptcy Case
6 PG&E CORPORATION,	No. 19-30088 (DM)
7 - and -	
8 PACIFIC GAS AND ELECTRIC	Chapter 11
9 COMPANY,	(Lead Case)
10 Reorganized Debtors.	(Jointly Administered)

11 **CERTIFICATE OF SERVICE**

12 I, Liz Santodomingo, do declare and state as follows:

13 1. I am employed by Kroll Restructuring Administration LLC (“*Kroll*”)¹, the claims and
14 noticing agent for the Reorganized Debtors in the above-referenced chapter 11 bankruptcy cases.

15 2. On October 20, 2022, at my direction and under my supervision, employees of Kroll
16 caused the following document to be served via first class mail on the Notice Parties Service List
17 attached hereto **Exhibit A**:

- 18 • Notice of Interlocutory Appeal; Motion for Leave to Appeal [Docket No. 13084]

19 3. I have reviewed the Notices of Electronic Filing (NEF) for the above-listed document,
20 and I understand that parties listed in each NEF as having received notice through electronic mail were
21 electronically served with that document through the Court’s Electronic Case Filing system.

22 4. I declare under penalty of perjury under the laws of the United States of America, that the
23 foregoing is true and correct and that if called upon as a witness, I could and would competently testify
24 thereto.
25
26
27
28

¹ Effective March 29, 2022, Prime Clerk LLC changed its name to Kroll Restructuring Administration LLC.

1 Executed this 25th day of October 2022, at New York, NY.

2 /s/ Liz Santodomingo

3 Liz Santodomingo

Exhibit A

Exhibit A
Affected Claimant Service List
Served via First Class Mail

NAME	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP
KELLER BENVENUTTI KIM, LLP	Attn: Tobias S. Keller, Jane Kim, Peter J. Benvenutti	650 California St., #1900	San Francisco	CA	94108
Office of the U.S. Trustee / SF	Phillip J. Burton Federal Building	450 Golden Gate Ave. 5th Fl., #05-0153	San Francisco	CA	94102
Ricky-Dean Horton	751 Rosemary Court		Fairfield	CA	94533
WEIL, GOTSHAL & MANGES LLP	Attn: Stephen Karotkin, Ray C. Schrock, P.C., Jessica Liou, Theodore E. Tsekerides	767 Fifth Ave.	New York	NY	10153-0119

Ricky-Dean Horton
751 Rosemary Court
Fairfield, California [94533]
Cell: 707-386-9713
RickyDHorton@gmail.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RICKY-DEAN HORTON, A LIVING MAN

Claimant/Appellant,

vs.

PG&E CORPORATION,

- and/or-

PACIFIC GAS AND ELECTRIC

COMPANY;

Debtors/Appellees*

*Affects one or both Debtors

All papers shall be filed in the Lead Case No.

19-30088 DM

Bankruptcy Case nos:

19-30088 DM (Lead Case)

19-30089 DM

Chapter 11, Jointly Administered.

District Court Case: 22-cv-06367-HSG

RICKY-DEAN HORTON'S STATEMENT
OF ISSUES TO BE PRESENTED ON
APPEAL, AND DESIGNATION OF
RECORD ON APPEAL;
CERTIFICATE REGARDING
TRANSCRIPTS

RE: NOTICE OF APPEAL DKT NO 13084

Pursuant to Rule 8009(a) of the Federal Rule of Bankruptcy Procedure, Ricky-Dean Horton, a living sovereign man (appellant), creditor and party in interest, hereby submits this statement of issues and designation of records on appeal.

STATEMENT OF ISSUES ON APPEAL

1. Whether the bankruptcy court erred by making one or more orders that denied appellant's right to a hearing.

2. Whether the bankruptcy court erred by filing an order regarding appellant's hearing(s) to be removed from calendar without the order following the rules and procedures.
3. Whether the bankruptcy court erred by not making an allowance for the rescheduling of a hearing date already scheduled by appellant if there was a conflict of schedule.
4. Whether the bankruptcy court erred by failing to resolve disputes or controversies arising from one or more of the court's orders.
5. Whether the bankruptcy court erred by making an order to have the court enter an order based on appellee's response to appellant's motions, without a timeline recognizing appellant's right to reply to appellee's response.
6. Whether the bankruptcy court erred by not ruling on appellant's and appellee's motions at a scheduled hearing.
7. Whether the bankruptcy court erred for denying appellant his right to confront and to question witnesses at a hearing, of which witnesses filed sworn declarations.
8. Whether the bankruptcy court erred by not allowing for general public comments or questions at the end of the hearing on October 19, 2021.
9. Whether the bankruptcy court erred by entering any order(s) without any party moving the court to enter any order(s).
10. Whether the Bankruptcy court erred in using and/or allowing statutes or codes to abridge, enlarge, or modify the inherent, unalienable, substantive and natural rights of claimant.
11. Whether the bankruptcy court erred by entering an order forever denying appellant his right to a hearing.

DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD

Appellant hereby designates the items listed below to be included in the record on appeal, which includes all exhibits and attachments thereto and filed therewith, and all documents incorporated by reference therein.

Date Filed	Docket No.	Docket Subject
10/21/19	Proof of Claim no. 87111	Proof of claim filed by Claimant/Appellant Ricky-Dean Horton
6/17/21	10808	Debtor's/appellee's Omibus objection
6/17/21	10809	Declaration of A. Anna Capelle
6/17/21	10810	Declaration of Stacy Campos
7/21/21	10960	Debtor's Report and request for orders by default
7/22/21	10980	Order disallowing Proof of Claim
7/29/21	10993	Transcript of Hearing held on 7-28-21 (eScribers)
8/04/21	11031	Motion to Reconsider by Claimant/Appellant
8/18/21	11074	Docket under seal, Not for Public view, Motions, Declarations, Statements, Exhibits by Claimant/Appellant
8/20/21	11135	Order regarding Claimant/Appellant's Motion for Recosnideration
8/24/21	11150	Letter to the Court from Claimant/Appellant
8/25/21	11154	Order Clarifying Court's previous order
8/31/21	11174	Motion to Strike orders, Motion Hearing Date Change by Claimant/Appellant
9/02/21	11183	Findings and Tentative order of the court, filed by Claimant/Appellant
9/10/21	11240	Opposition to Claimant/Appellant Motions, filed by Debtors
9/13/21	11244	Order for Further Briefing
9/13/21	11245	Claimant/Appellant's response and objections to Debtor's /appellees opposition to Claimant's/Appellant's motions
9/14/21	11251	Order declared void, Sanctions, filed by Claimant/Appellant
10/05/21	11377	Motion to Strike Declarations, Hearing date reminder for October 19, 2021 filed by Claimant/Appellant
10/07/21	11386	Order striking Motions(s) of Claimant/Appellant, Order forever denying Ricky-Dean Horton a hearing.
10/13/21	11415	Email Letter to the Court from Claimant/Appellant for confirmation of hearing still on calendar for October 19, 2021
10/13/21	11416	Email Letter to The court from Claimant/Appellant form of order opposed, Hearing date not changed by Calendar Clerk

10/15/21	11434	Email letter to the court, order opposed in Dkt 11386 by Claimant/Appellant, hearing date to be upheld
10/15/21	11435	Docket filing, Void of Order within Dkt 11386 by Claimant/Appellant; Hearing date upheld
10/21/21	11458	Transcript of hearing held on 10-19-21 (eScibers)
10/14/22	13084	Notice of Appeal, Statement of Election for Appeal to be heard by Discript Court, Motion for Leave of Court by Claimant/Appellant

Additional records to be included in the record on appeal:

Approximate Date of record	In regards to:	Records to be included
8/20/21	In Re: Dkt 11135, order	The records of the author and/or origination of the order, how the order was submitted, reviewed, approved, and statutory rules of procedures to file order as Docket no. 11135
8/25/21	In Re: Dkt 11154, order	The records of the author and/or origination of the order, how the order was submitted, reviewed, approved, and statutory rules of procedures to file order as Docket no. 11154
9/13/21	In Re: Dkt 11244, order	The records of the author and/or origination of the order, how the order was submitted, reviewed, approved, and statutory rules of procedures to file order as Docket no. 11244
10/07/21	In Re: Dkt 11386, order	The records of the author and/or origination of the order, how the order was submitted, reviewed, approved, and statutory rules of procedures to file order as Docket no. 11386

The Following items are uploaded at the time of Filing this Statement and Designation of Records to be included in the record on appeal:

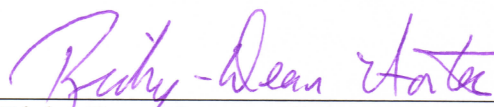
Date of record	EXHIBIT No. and Source	Subject
7/27/21 through 7-30-21	EXHIBIT 1 Email Records	Email exchanges between Claimant/Appellant and Debtor's Council Thomas Rupp, Debtor's Counsel not willing to set aside order.
8/2/21	EXHIBIT 2: Email Records	Email exchanges between Claimant/Appellant and Debtor's Council Thomas Rupp, Claimant/Appellant attached Motions, Mr. Rupp stating Claimant/Appellant did not follow rules and procedures.

8/04/21 through 8/09/21	EXHIBIT 3: Email Records	Email exchanges between Claimant/Appellant and Lorena Parada re: Chamber copies of motions mailed to Judge Montali
9/07/21	EXHIBIT 4: Email Records	Email exchange between Claimant/Appellant and Calendar Clerk Lorena Parada
10/12/21	EXHIBIT 5: Email Records	Email from claimant/appellant to Lorena Parada to again confirm hearing date of 10/19/21
10/12/21 through 10/14/21	EXHIBIT 6: Email Records	Full email exchange between claimant/appellant and Lorena Parada, order opposed in Dkt 11386 by Claimant/Appellant, hearing date to be upheld (partial email exchange as Dkt 11434)
10/15/21	EXHIBIT 7: Email Records	Email exchange between Claimant/Appellant and Calendar Clerk Lorena Parada to clear confusion of matter at hearing

Claimant/appellant certifies that the only transcripts of the court hearings to be included in the record on appeal are the complete transcripts of the hearings already requested in the foregoing designation of records previously stated as Dkts 10993 transcript of Hearing held on July 28, 2021, and 11458 transcript of the hearing held on October 19, 2021.

Claimant/Appellant reserves his right to designate additional items for inclusion in the record and, if needed, restate or make corrections to any of the issues presented on appeal.

Dated this 30th day of October, 2022


 Ricky-Dean Horton, a living man
 Claimant/Appellant



PDF files included with this filing are listed in the forgoing designation of records on appeal:

1
2 *EXHIBIT 1 Gmail - 7-27-21 through 7-31-21 Ricky Horton and Thomas Rupp (PG&E Claim*
3 *#87111 - 93rd Omnibus Objection) email exchanges.pdf*

4 *EXHIBIT 2 Gmail - 8-02-21 Ricky Horton and Thomas Rupp Motions and court procedures to*
5 *be corrected email exchanges.pdf*

6 *EXHIBIT 3 Gmail - 8-04-21 through 8-09-21 Ricky Horton and Lorena Parada cc to Debtors*
7 *Council and Thomas Rupp.pdf*

8 *EXHIBIT 4 Gmail - 9-07-21 Ricky Horton and Lorena Parada to confirm 10-19-21 hearing date*
9 *email exchanges.pdf*

10 *EXHIBIT 5 Gmail - 10-12-21 Ricky Horton email to Lorena Parada re hearing still on calendar*
11 *for October 19, 2021.pdf*

12 *EXHIBIT 6 Gmail -10-12-21 through 10-14-21 Email exchange between Ricky Horton and*
13 *Lorena Parada.pdf*

14 *EXHIBIT 7 Gmail - 10-15-21 Ricky Horton and Lorena Parada re order and hearing date*
15 *removal.pdf*

EXHIBIT 1

Cover page

The following 3 page PDF file is referenced as Exhibit 1 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 1 Gmail - 7-27-21 through 7-31-21 Ricky Horton and Thomas Rupp (PG&E Claim #87111 - 93rd Omnibus Objection) email exchanges.pdf

My apologies for the text being small. I was unable to force the text to re-flow keeping font size larger on file output.



Ricky D. Horton <rickydhorton@gmail.com>

Ricky Horton (PG&E Claim #87111 - 93rd Omnibus Objection)

1 message

Thomas Rupp <trupp@kbellp.com>
To: "rickydhorton@gmail.com" <rickydhorton@gmail.com>
Cc: Jane Kim <jkim@kbellp.com>

Fri, Jul 30, 2021 at 2:49 PM

Mr. Horton:

My firm represents PG&E in its chapter 11 bankruptcy cases. I am reaching out to you about the objection to your claim.

As discussed at the July 28, 2021 hearing that you attended, the order disallowing your claim was approved by the court and entered on the docket on July 22, 2021. A copy of that order is attached to this e-mail.

I sympathize with you having to care for a sick relative, however, your July 27 e-mail acknowledges that you were served with the objection to your claim on June 18, 2021, nearly a month before the July 14 deadline to respond indicated in the notice.

More importantly, your e-mail response, and the new proof of claim you filed (now listed on the official claims register maintained by Prime Clerk as Claim #107857), do not include any facts or legal arguments that contravene PG&E's position that the two-year statute of limitations on the wrongful death claim had expired prior to PG&E's bankruptcy filing on January 29, 2019, which was the reason that PG&E objected to your claim. You included an e-mail to PG&E's claims department, but the statute of limitations governs the time to file a complaint in court. See Cal. Civ. Proc. Code § 350. Merely notifying PG&E of your potential action does not satisfy or toll the statute of limitations, and you did not file a lawsuit within the two-year statute.

Based on what you have presented, PG&E does not believe there is any basis to set aside the order disallowing your claim or to set a new hearing on the objection to your claim. You are free to make a request to the bankruptcy court to set aside the order disallowing your claim, and PG&E reserves its rights and arguments in opposition to any such request. I encourage you to seek the assistance of counsel familiar with bankruptcy law in this matter.

My sincere condolences to you on the loss of your brother.

Best Regards,

THOMAS RUPP

650 California Street, Suite 1900

San Francisco, CA 94108

Direct: 415.364.6745

Cell: 415.636.9015

Email: trupp@kbellp.com

KBK | KELLER BENVENUTTI KIM
www.kbellp.com

This e-mail and any attachment may contain communications or information that is privileged and confidential. If you have received this e-mail in error, please notify the sender and destroy it immediately.

Begin forwarded message:

From: "Ricky D. Horton" <rickydhorton@gmail.com>
Date: July 27, 2021 at 11:51:56 PM PDT
To: "Akter, Sonia" <sakter@primeclerk.com>
Cc: PGE Team <PGETeam@primeclerk.com>, Tobias Keller <tkeller@kbellp.com>, Peter Benvenuti <pbenvenuti@kbellp.com>, Jane Kim <jkim@kbellp.com>
Subject: URGENT: Immediate attention required, Case hearing July 28, 2021 at 10:00am: Re: In re PG&E Corporation, et al., Case No. 19-30088-DM, United States Bankruptcy Court for the Northern District of California (San Francisco Division)

From:
Ricky-Dean Horton
751 Rosemary Court
Fairfield, California 94533

PG&E Corporation, et al., Case No. 19-30088-DM
Case/Claim number 87111

Case: 19-30088 Doc# 13266-1 Filed: 10/30/22 Entered: 10/31/22 08:15:20 Page 6
20 of 37

To: sakter@primeclerk.com, PGETeam@primeclerk.com

To: Clerk of the Court;

To: The Honorable Dennis Montali, United States Bankruptcy Judge

To:

KELLER BENVENUTTI KIM LLP
Tobias S. Keller (#151445)
(tkeller@kbklp.com)
Peter J. Benvenuti (#60566)
(pbenvenuti@kbklp.com)
Jane Kim (#296192)
(jkim@kbklp.com)

Although it appears that I missed one of the deadlines for objecting to an Omnibus Claim as stated in the information that was emailed to me, please enter the following response into the record of this case, and provide this response to Honorable Dennis Montali, United States Bankruptcy Judge **prior to the hearing** scheduled for:

Bankruptcy Case No. 19-30088 (DM)

Date: July 28, 2021

Time: 10:00 a.m. (Pacific Time)

Place: (Telephonic Appearances Only)

I am objecting to the Debtors' request to disallow and expunge my proof of claim number 87111 for failing to meet the statute of limitations of filing my case within 2 years of the date of injury.

As the court will notice in my objections and responses to prior notices by Debtors, I am attempting to maintain all deadlines as required by the court. I did not intentionally ignore or neglect to respond to this Omnibus Objection as found in the information in the email that was sent to me on or around June 18, 2021. My mother is seriously ill and weak and has been in the hospital or been in a senior care facility due to her illness and need for care for the past month.

This email is my response to plead this court to enter and record my objection to the Debtors' Omnibus Objection to claim number 87111 and recognize that this objection has been filed PRIOR to the hearing at 10:00am on July 28, 2021, to be heard by the Honorable Dennis Montali, United States Bankruptcy Judge.

I am hereby requesting that this case/claim number 87111 **NOT be disallowed or expunged** based on the allegations that my case/claim 87111 was NOT filed with PG&E Claims within the 2 year statute of Limitations. As seen within the records filed within this court and the attached screenshot of my email records, there is proof that the 2-year statute of limitations for filing this claim with PG&E was met. This claim was mailed to PG&E Claims and also filed with PG&E electronically by email to LawClaims@pge.com and CC'd to De Luca, Maria (Law-Claims) mxdp@pge.com at the end of August, 2018.

ATTACHED: Screenshot of email records to PG&E Claims, August 2018.

File Name: PGE Case No 19-30088-MD, claim no 87111, Ricky-Dean Horton, Screen Shot of PGE claim filed in August 2018.png

I declare under penalty of perjury under the Supreme laws of the land of the United States of America, that the foregoing information is true and correct to the best of my knowledge and belief.

/s/ Ricky-Dean Horton

Ricky-Dean Horton

Case/Claim number 87111

707-386-9713 Cell

rickydhorn@gmail.com

Case: 19-30088 Doc# 13266-1 Filed 10/30/22 Entered 10/31/22 08:15:20 Page 2 of 3
210357

On Fri, Jun 18, 2021 at 5:10 PM Akter, Sonia <sakter@primeclerk.com> wrote:

Please find below links to the following important documents recently filed in the bankruptcy proceedings of PG&E Corporation, Case No. 19-30088-DM, United States Bankruptcy Court for the Northern District of California (San Francisco Division):

- [Reorganized Debtors' Ninety-Third Omnibus Objection to Claims \(No Legal Liability Claims\) \[Docket No. 10808\]](#)
- [Declaration of A. Anna Capelle in Support of Reorganized Debtors' Ninety-Third Omnibus Objection to Claims \(No Legal Liability Claims\) \(Related Document: 10808\) \[Docket No. 10809\]](#)
- [Declaration of Stacy Campos in Support of Reorganized Debtors' Ninety-Third Omnibus Objection to Claims \(No Legal Liability Claims\) \(Related Document: 10808\) \[Docket No. 10810\]](#)
- [Notice of Hearing on Reorganized Debtors' Ninety-Third Omnibus Objection to Claims \(No Legal Liability Claims\). Hearing Scheduled for July 28, 2021 at 10:00 a.m. \(PT\). Objections due by July 14, 2021 at 4:00 p.m. \(PT\) \(Related Document: 10808\) \[Docket No. 10811\]](#)

For additional information, and to download all documents filed in the Debtors' chapter 11 cases free of charge, please visit <https://restructuring.primeclerk.com/pge>.

This email is confidential and subject to important disclaimers and conditions, including those regarding confidentiality, legal privilege and certain legal entity disclaimers, available at <https://www.kroll.com/disclosure>. Our Privacy Policy is available at <https://www.kroll.com/en/privacy-policy>.

Copy of Claim, Death of Rory Horton, digital copy



Ricky D. Horton

As indicated on the PG&E Claim form to submit a claim via email as an alternative method, please notice that this is a digital copy of Claim, of which the hard

Aug 31, 2018, 1:19 PM



De Luca, Maria(Law-Claims) <MXDp@pge.com>

to me

Aug 31, 2018, 1:22 PM

I have received your claim. Maria

From: Ricky D. Horton (<mailto:rickydhorton@gmail.com>)

Sent: Friday, August 31, 2018 1:20 PM

To: PG&E Claims

Cc: De Luca, Maria(Law-Claims)

Subject: Copy of Claim, Death of Rory Horton, digital copy

*****CAUTION: This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*****

As indicated on the PG&E Claim form to submit a claim via email as an alternative method, please notice that this is a digital copy of Claim, of which the hard copy printed claim has already mailed and received by Concord and San Francisco offices, Death of Rory Horton by electrocution. (confirmation of delivery via USPS Certified mail, received 8/27/2018 and 8/28/2018 respectively)

Please use the attached DROPBOX link here to access and download the claim of approximately 85-90mb:

<https://www.dropbox.com/s/vlyzdy8vab0qm/HORTON%20Death%20by%20Electrocution%20PG%20mail%20copy%20of%20CLAIM.pdf?dl=0>

The above link will expire and be no longer available after 10/5/2018

This email is to further insure that PG&E Claims department is fully aware of our intention to file court action, and this claim satisfies our attempt to seek restitution prior to filing a court action. The dollar amount claimed as restitution is reasonable at this time. Please see claim in its entirety for more information.

Ricky D. Horton,
Rory's Brother and representative
751 Rosemary Court
Fairfield, California 94533
Solano County
Cell: 707-388-9713

NOTICE and CC TO:
LawClaims@pge.com
Maria De Luca, mxdp@pge.com

Reply

Forward

10980 Order Granting 93rd Omnibus Objection (filed 07.30.2021).pdf
686K

Case: 19-30088 Doc# 13234-1 Filed 10/30/22 Entered 10/31/22 08:11:52 Page 22 of 37

EXHIBIT 2

Cover page

The following 2 page PDF file is referenced as Exhibit 2 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 2 Gmail - 8-02-21 Ricky Horton and Thomas Rupp Motions and court procedures to be corrected email exchanges.pdf



Ricky D. Horton <rickydhorton@gmail.com>

Intent to File in accordance with correct rules of Procedure; Re: PG&E Case No 19-30088(DM), Ricky Horton Claim No. 87111

1 message

Ricky D. Horton <rickydhorton@gmail.com>

Mon, Aug 2, 2021 at 10:29 PM

To: Thomas Rupp <trupp@kbklp.com>

Cc: PGE Team <PGETeam@primeclerk.com>, Jane Kim <jkim@kbklp.com>

Thank you for the quick reply and information that directs me how to file the paperwork according to the proper procedures.

Ricky-Dean Horton.

On Mon, Aug 2, 2021 at 7:18 PM Thomas Rupp <trupp@kbklp.com> wrote:

Mr. Horton:

Thank you for your e-mail. We have received your motion and 5 attachments.

Please note that neither my firm nor Prime Clerk is able to file documents on the bankruptcy court docket for you. The court's docket is separate from the claims register where you filed your proofs of claim.

You may mail your filings to the court or use the court's document upload feature available through the court's website (see link below). The clerk's office is now open to the public from the hours of 10:00 am to 2:00 pm in the event you wish to file documents in person. Your e-mail notes that you have mailed chambers copies to Judge Montali. It is up to you to ensure that your documents are properly filed.

I note that you did not set a hearing for the motion. Please refer to page 4 of the attached order, in which Judge Montali instructed *pro se* parties such as yourself on the rules that must be followed in order to have a matter heard.

Thank you.

<https://www.canb.uscourts.gov/court-document-upload>

<https://www.canb.uscourts.gov/content/page/court-operations-during-covid-19-outbreak>

THOMAS RUPP

Case: 19-30088 Doc# 13236-1 Filed 10/30/22 Entered 10/31/22 08:11:52 Page 2
240357

650 California Street, Suite 1900

San Francisco, CA 94108

Direct: 415.364.6745

Cell: 415.636.9015

Email: trupp@kbklp.com

KBK | KELLER BENVENUTTI KIM
www.kbklp.com

This e-mail and any attachment may contain communications or information that is privileged and confidential. If you have received this e-mail in error, please notify the sender and destroy it immediately.

From: Ricky D. Horton <rickydhorton@gmail.com>

Sent: Monday, August 2, 2021 5:22 PM

To: PGE Team <PGETeam@primeclerk.com>; Tobias Keller <tkeller@kbklp.com>; Peter Benvenutti <pbenvenutti@kbklp.com>; Jane Kim <jkim@kbklp.com>; Thomas Rupp <trupp@kbklp.com>

Subject: PG&E Case No 19-30088(DM), Ricky Horton Claim No. 87111

Pursuant to the procedures to serve Debtor's Council, please download and enter the attached Motions.

Hard copies of the attached filing sent to via certified mailing to:

Hon. Dennis Montali - "Chambers Copies"
U.S. Bankruptcy Judge
Mail Box 36099
450 Golden Gate Avenue
San Francisco, CA 94102

Please reply and confirm Receipt.

EXHIBIT 3

Cover page

The following 6 page PDF file is referenced as Exhibit 3 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 3 Gmail - 8-04-21 through 8-09-21 Ricky Horton and Lorena Parada cc to Debtors Council and Thomas Rupp.pdf



Ricky D. Horton <rickydhorton@gmail.com>

Re: Dkt 11031, PG&E Case No 19-30088(DM), Claim No. 87111 Ricky Horton, Incorrect Procedures, obvious and significant errors made

1 message

Ricky D. Horton <rickydhorton@gmail.com>

Mon, Aug 9, 2021 at 12:58 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Cc: PGE Team <PGETeam@primeclerk.com>, tkeller@kbkllp.com, Thomas Rupp <trupp@kbkllp.com>, Jane Kim <jkim@kbkllp.com>, pbenvenuti@kbkllp.com

Thank You, (CCing to Debtor's Council for their information)

Lorena Parada, I very much appreciate your attention to this matter and letting me know about the filing of my Chambers Copies into the Court Docket Case No. 19-30088(DM), as Dkt no. 11031.

I am trying to quickly learn. It will definitely be necessary to re-file and amend. I intend to file the new motion prior to 28 days of the order of July 22, 2021 found on Dkt No 10980. As eluded to in an earlier email and recognizing that the Bankruptcy Proceeding must keep moving along, the 1 year limitation as found in FRCivP 60 (b)(1) and (c)(1) seems way too long. I'm currently working on the New Motion that will replace the one that was recently filed as Dkt No. 11031. My goal is to have the new Motion filed before 28 days of the original order found on Dkt No 10980. I know that I can instruct that the new Motion I file to replace the former Motion on Docket number 11031 in its entirety so it will be clear that the old Motion was wrong and being completely replaced. I missed a lot of other pertinent information in the Motion as well.

I'm expecting that by this email, the Debtor's Council is aware of my intention to replace the Motion in Dkt 11031. I don't think anything else needs to be done since there was no court date set to hear the Motion anyway. That error of no hearing date will also be one that is corrected on the new Motion.

I have looked at Judge Montali's Calendar so I'll attempt to set a date for the hearing that will be in accordance with the calendar, I'll upload the files on the court's website through the proper link provided on an earlier email, and attempt to properly serve the Debtor's Council. Thank you for also letting me know that a printout for Chambers Copies are no longer required to be mailed.

I'm assuming that no other action will need to be taken until the new Motion is uploaded on or before Aug 19, 2021 that will completely replace the previous Motion filed on August 4, 2021 as Docket No. 11031.

Again, many thanks,
Ricky-Dean Horton.
Claim No. 87111

On Fri, Aug 6, 2021 at 5:50 PM Lorena Parada <Lorena_Parada@canb.uscourts.gov> wrote:

Mr. Horton:

Judge Montali instructed the clerk to file your document on the docket. The docket number is 11031. If you feel it is necessary to amend your motion, you may do so at a later time.

Regards,

Lorena Parada

Courtroom Deputy to the

Honorable Dennis Montali

United States Bankruptcy Court

Northern District of California - San Francisco Division

450 Golden Gate Avenue, Mail Box 36099

San Francisco, CA 94102

(415) 268-2323

Mail to: lorena_parada@canb.uscourts.gov

From: Ricky D. Horton <rickydhorton@gmail.com>

Sent: Wednesday, August 4, 2021 9:31 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Subject: Re: NOTICE: See body of Email; PG&E Case No 19-30088(DM), Claim No. 87111 Ricky Horton, Incorrect Procedures, obvious and significant errors made

CAUTION - EXTERNAL:

Thank You for the reply and letting me know that the papers arrived today. DO NOT FILE, Continue reading please.

..

The papers were in opposition to an order and I'm planning on making a motion to reconsider. I felt the need to get them out as soon as possible and in my rush to get them sent I made too many mistakes and I didn't even upload anything to the court's website. I clicked on your link that directed me to the place to where I upload the files. It looks easy enough to do. Thank you.

I found in the FRCivP Rule 60 that it looks like I have a year to file my Motion to Reconsider an order. BUT that seems like a long time. I was looking at the court's Bankruptcy Local Rules and couldn't find anything that reduces the timing of that Federal Rule of 1 year to file my Motion to Reconsider and reverse an Order.

Before I say yes to disregarding the Chambers Copies and not filing them, can you help me, or direct me to someone that could help me find the Local Rules that might reduce the 1 year allowed in FRCivP Rule 60? Please hold those papers and DO NOT FILE until I find out what timing issues I'm up against. If the Local Rules of this court is 28 days or more to file a motion to reconsider an order then the Chambers Copies that you received today

can be disregarded and I'll follow the proper procedures to format the document correctly, remove the footers, and add some statutes and other references in the filing. I will then file using the upload feature on the Court's Website.

I know I can't ask for legal advice but I appreciate any help that can be provided to help me make sure I follow the proper rules and procedures of this Court, especially timing issues for appeals or other timely filed motions like this motion to reconsider an order.

If you can't help for any reason then is there someone assigned to help people like myself to help me with questions regarding the Court's Local procedures? I would be most grateful as I am really concerned that I will miss a deadline.

Ricky.

On Wed, Aug 4, 2021 at 2:45 PM Lorena Parada <Lorena_Parada@canb.uscourts.gov> wrote:

Mr. Horton:

The document was received today at the Clerk's Office. Please let me know if you want the court to disregard the chambers copies. Please confirm that you do not want the documents filed on the case docket.

Please note that parties not represented by an attorney may use the court's document upload procedure and electronically file documents. Please see the link below. Also, chambers copies are not required at this time because of the pandemic.

<https://www.canb.uscourts.gov/court-document-upload>

Regards,

Lorena Parada

Courtroom Deputy to the

Honorable Dennis Montali

United States Bankruptcy Court

Northern District of California - San Francisco Division

450 Golden Gate Avenue, Mail Box 36099

San Francisco, CA 94102

(415) 268-2323

Mail to: lorena_parada@canb.uscourts.gov

From: Ricky D. Horton <rickydhorton@gmail.com>

Sent: Wednesday, August 4, 2021 1:18 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Subject: Fwd: NOTICE: See body of Email; PG&E Case No 19-30088(DM), Claim No. 87111 Ricky Horton, Incorrect Procedures, obvious and significant errors made

CAUTION - EXTERNAL:

Lorena Parada:

I forgot the underscore in your email address in the original email. I'm forwarding to you with the correct email address. So Sorry

Ricky-Dean Horton

----- Forwarded message -----

From: **Ricky D. Horton** <rickydhorton@gmail.com>

Date: Wed, Aug 4, 2021 at 12:26 PM

Subject: NOTICE: See body of Email; PG&E Case No 19-30088(DM), Claim No. 87111 Ricky Horton, Incorrect Procedures, obvious and significant errors made

To: <lorenaparada@canb.uscourts.gov>, Thomas Rupp <trupp@kbkllp.com>

Cc: PGE Team <PGETeam@primeclerk.com>, <tkeller@kbkllp.com>, <pbenvenutti@kbkllp.com>, Jane Kim <jkim@kbkllp.com>

Re: PG&E Case No. 19-30088(DM), Claim No. 87111 Ricky D. Horton, & Dkts No. 10808, 10960

To: Lorena Parada – Calendar Clerk/Courtroom Deputy,

CC:

PGETeam@primeclerk.com;

tkeller@kbkllp.com,

trupp@kbkllp.com,

jkim@kbkllp.com

pbenvenutti@kbkllp.com

I had made a serious error in sending Chambers Copies to Judge Montali via USPS Certified mailing no 70191120000192771730.

According to the Tracking Information you may be receiving the Chamber Copies within the next day or two.

The Chambers Copies were not sent after following correct procedures, nor did the body and layout of the text conform to the proper guidelines (footers I found out is a no-no). The content of the mailing was vague, had much missing information, no codes or statutes referenced, authorities, etc. . .

The electronic PDF files of Chambers Copies were also sent to the recipients of this email listed above on August 2, 2021 and I realize that they are INVALID. I will be resending after I redo the document, upload, and file correctly.

There was no filing with the court and therefore no Docket Number. No files were uploaded through the Court's Website And no calendar date set for allowing objections to my filing or to be heard.

Mr. Rupp did send information to me to help me learn the process on how to file my response that meets the guidelines and the format of the document as well as the procedures to file and upload documents.

If I still have questions while I'm learning the correct procedures and/or formatting, I am assuming Lorena Parada would be the contact person to help answer any questions? Or any other court assistant? I'd be asking for procedural information and not legal advice.

Again, I sincerely apologize for my haste in sending Chambers Copies. It is my intent to request a Motion for Reconsideration and to reverse the order on Docket No. 10960. I know I have time and I am allowed to file my Motion for Reconsideration and to reverse the order based on Federal Rules of Civil Procedures Rule 60. I haven't seen any other rules, codes, or statutes that would over-rule the FRCP Rule 60 governing this Bankruptcy Court. If any then anyone in the email please "reply all" and advise, otherwise the FRCP are what will be acknowledged.

Lorena Parada, If you can, please let me know what I need to do to correct this error of sending these Chamber Copies pre-maturely, or who I should ask if you aren't the one that can help me to set the Chambers Copies aside since there was a lot wrong with them, and I was also pre-mature in sending the PDF files to the above recipients.

If this Email can be printed and somehow attached to the Chambers Copies that were mailed via USPS Certified mailing no 70191120000192771730, then maybe that would be sufficient?

Thank you for your attention to this matter.

Ricky-Dean Horton

Claimant, Claim No. 87111

707-386-9713 (cell)

RickyDHorton@gmail.com

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

EXHIBIT 4

Cover page

The following 2 page PDF file is referenced as Exhibit 4 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 4 Gmail - 9-07-21 Ricky Horton and Lorena Parada to confirm 10-19-21 hearing date email exchanges.pdf



Ricky D. Horton <rickydhorton@gmail.com>

**PG&E 19-30088, Calendar date, Pls review process and procedures re: Hearing
10:00am Oct 19, 2021**

2 messages

Ricky D. Horton <rickydhorton@gmail.com>

Tue, Sep 7, 2021 at 10:15 AM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Pursuant to the Bankruptcy Court and Judge Montali's open calendar procedures, and Dkt. 11074, Dkt 11174, and the followup order on Dkt 11183, an adversary hearing in this PG&E Case No. 19-30088/19-30089 was re-scheduled by me for 10:00am on October 19, 2021.

The Open Calendar Procedures did not require that the calendar clerk call back to confirm the hearing since it appears that the procedures have been followed correctly.

However, to insure that I followed the correct process and procedure, I am asking you, Lorena Parada, to please confirm that I did follow the proper procedures and that the date for the hearing re: Dkt 11074 and related filings have been placed on Calendar for 10:00am on October 19, 2021.

Thank you for your attention to this matter and for assistance in making sure I follow the proper procedures of the Federal Bankruptcy Court and Judge Montali's practices and procedures.

Ricky-Dean Horton

Claimant, Claim No. 87111

PG&E Case No. 19-30088/ 19-30089

Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Tue, Sep 7, 2021 at 4:24 PM

To: "Ricky D. Horton" <rickydhorton@gmail.com>

Mr. Horton:

I have forwarded your message to Judge Montali and therefore, I am unable to answer your question at this time.

Regards,

Lorena Parada

Courtroom Deputy to the

Honorable Dennis Montali

United States Bankruptcy Court

Northern District of California - San Francisco Division

[450 Golden Gate Avenue](#), Mail Box 36099

San Francisco, CA 94102

Case: 19-30088 Doc# 13234-1 Filed 10/30/22 Entered 10/31/22 10:15:01 Page 2
340357

(415) 268-2323

Mail to: lorena_parada@canb.uscourts.gov

From: Ricky D. Horton <rickydhorton@gmail.com>

Sent: Tuesday, September 7, 2021 10:16 AM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Subject: PG&E 19-30088, Calendar date, Pls review process and procedures re: Hearing 10:00am Oct 19, 2021

CAUTION - EXTERNAL:

Pursuant to the Bankruptcy Court and Judge Montali's open calendar procedures, and Dkt. 11074, Dkt 11174, and the followup order on Dkt 11183, an adversary hearing in this PG&E Case No. 19-30088/19-30089 was re-scheduled by me for 10:00am on October 19, 2021.

The Open Calendar Procedures did not require that the calendar clerk call back to confirm the hearing since it appears that the procedures have been followed correctly.

However, to insure that I followed the correct process and procedure, I am asking you, Lorena Parada, to please confirm that I did follow the proper procedures and that the date for the hearing re: Dkt 11074 and related filings have been placed on Calendar for 10:00am on October 19, 2021.

Thank you for your attention to this matter and for assistance in making sure I follow the proper procedures of the Federal Bankruptcy Court and Judge Montali's practices and procedures.

Ricky-Dean Horton

Claimant, Claim No. 87111

PG&E Case No. 19-30088/ 19-30089

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

EXHIBIT 5

Cover page

The following 1 page PDF file is referenced as Exhibit 5 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 5 Gmail - 10-12-21 Ricky Horton email to Lorena Parada re hearing still on calendar for October 19, 2021.pdf



Ricky D. Horton <rickydhorton@gmail.com>

PG&E Case No. 19-30088, Claim No. 87111, Confirmation of Court hearing as scheduled for 10:00am October 19, 20211 message

Ricky D. Horton <rickydhorton@gmail.com>
To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Tue, Oct 12, 2021 at 9:54 AM

To: Calendar Clerk for the Hon. Judge Montali

Please confirm that my hearing is still set on the Calendar to be heard by the Hon. Judge Montali at 10:00am on October 19, 2021.

I followed the guidelines set forth in the Court's and Judge Montali's open calendar procedures and I sent an email on September 7, 2021 to confirm the hearing date and to confirm that in fact I did follow the proper procedures to schedule my hearing.

After the notice of hearing was sent to the Calendar Clerk on September 7, 2021, there has been no response to reschedule.

I also sent a reminder of hearing to Debtor's Council (dkt 11377) on October 5, 2021.

As noted in several docket filings, the Federal Bankruptcy Court retains jurisdiction to resolve disputes regarding the court's orders. The motions I filed are exercising my right to have my motions and controversies regarding the court's orders to be heard at the hearing as properly scheduled for 10:00am on October 19, 2021.

I know there can be no orders granting or denying a motion once the matter is set for a hearing and any such order attempting to take this matter off calendar has no authority. I objected to any previous order attempting to take my hearing off the calendar and/or denying my motion to reconsider the court's order found on Docket 10808 as outlined in Dkt 11074 and related filings thereafter.

Thank you for confirming my guaranteed right to a hearing regarding a controversy regarding the court's order(s) is still set to be heard at 10:00am October 19, 2021.

Ricky-Dean Horton
PG&E Case No 19-30088
Claim No. 87111

EXHIBIT 6

Cover page

The following 4 page PDF file is referenced as Exhibit 6 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 6 Gmail -10-12-21 through 10-14-21 Email exchange between Ricky Horton and Lorena Parada.pdf



Ricky D. Horton <rickydhorton@gmail.com>

PG&E Case No 19-30088; LETTER TO THE COURT, form of order opposed, hearing as scheduled for 10:00am Oct 19, 2021

3 messages

Ricky D. Horton <rickydhorton@gmail.com>

Tue, Oct 12, 2021 at 4:58 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Cc: Thomas Rupp <trupp@kbkllp.com>, Stephen.karotkin@weil.com, Jessica.liou@weil.com, Matthew.goren@weil.com, tkeller@kbkllp.com, Jane Kim <jkim@kbkllp.com>, pbenvenuti@kbkllp.com

To Calendar Clerk for Judge Montali, Lorena Parada,
CC to Debtor's Council as seen in the CC email addresses included in this LETTER TO THE COURT.

Please be advised that there has been an E-Order from an anonymous source uploaded to the Court's website which appears to be an illegal attempt to take my hearing off calendar that has been scheduled on Judge Montali's calendar for 10:00am October 19, 2021. Refer to Dkt 11386 dated October 7, 2021. There has been no motion by any party to remove my hearing from Calendar and I do not consent to my hearing being removed as scheduled.

According to file found on the Bankruptcy Court's Website called: "*Practices and Procedures 3-30-21.pdf*" of which file is Titled PRACTICES AND PROCEDURES IN JUDGE MONTALI'S COURT dated March 21, 2021, and on Page 11, Par 2 which states in part ". . . *Individual cases may not be discussed with Judge Montali's law clerk or judicial assistant except to inform the court that an ex parte request or a form of order is opposed.*"

The anonymous form of order uploaded and found in Dkt 11386 is opposed. It also appears that the docket linked to the illegal e-order is referring to Dkt 11031 which is not a valid docket. Dkt 11031 has been replaced in its entirety by Dkt No. 11074 dated August 18, 2021 and the hearing date corrected with the filing of dkt 11174 dated August 31, 2021.

I have not waived my right to the Court hearing as set for 10:00am on October 19, 2021 and there has been no request by Judge Montali's Calendar Clerk to change the hearing date as originally set for 10:00am on October 19th 2021.

All matters regarding my Motion filed within Dkt no. 11074 may be addressed at the hearing at 10:00am on October 19, 2021 and therefore there will be no violation of anyone's rights on the hearing date as scheduled since both parties will address the controversies regarding the court's orders at that time.

Sincerely,

Ricky-Dean Horton

PG&E Case No. 19-30088/19-30089

Claim No. 87111

Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Wed, Oct 13, 2021 at 5:15 PM

Case: 19-30088 Doc# 13234-1 Filed 10/30/22 Entered 10/31/22 08:11:15 Page 39 of 57

To: "Ricky D. Horton" <rickydhorton@gmail.com>
Cc: Thomas Rupp <trupp@kbkllp.com>, "Stephen.karotkin@weil.com" <Stephen.karotkin@weil.com>, "Jessica.liou@weil.com" <Jessica.liou@weil.com>, "Matthew.goren@weil.com" <Matthew.goren@weil.com>, "tkeller@kbkllp.com" <tkeller@kbkllp.com>, Jane Kim <jkim@kbkllp.com>, "pbenvenuti@kbkllp.com" <pbenvenuti@kbkllp.com>

Good evening, Mr. Horton:

Pursuant to the Order Denying Motion To Reconsider Filed By Ricky-Dean Horton and Disallowing Proof of Claim #107857, Dkt number 11386, issued by Judge Montali on October 7, 2021, no hearing will be held on October 19 regarding your matter.

Sincerely,

Lorena Parada

Courtroom Deputy to the

Honorable Dennis Montali

United States Bankruptcy Court

Northern District of California - San Francisco Division

[450 Golden Gate Avenue](#), Mail Box 36099

San Francisco, CA 94102

(415) 268-2323

Mail to: lorena_parada@canb.uscourts.gov

From: Ricky D. Horton <rickydhorton@gmail.com>
Sent: Tuesday, October 12, 2021 4:59 PM
To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>
Cc: Thomas Rupp <trupp@kbkllp.com>; Stephen.karotkin@weil.com; Jessica.liou@weil.com; Matthew.goren@weil.com; tkeller@kbkllp.com; Jane Kim <jkim@kbkllp.com>; pbenvenuti@kbkllp.com
Subject: PG&E Case No 19-30088; LETTER TO THE COURT, form of order opposed, hearing as scheduled for 10:00am Oct 19, 2021

CAUTION - EXTERNAL:

[Quoted text hidden]

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

Ricky D. Horton <rickydhorton@gmail.com>

Thu, Oct 14, 2021 at 1:26 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Cc: Thomas Rupp <trupp@kbkllp.com>, "Stephen.karotkin@weil.com" <Stephen.karotkin@weil.com>, "Jessica.liou@weil.com" <Jessica.liou@weil.com>, "Matthew.goren@weil.com" <Matthew.goren@weil.com>, "tkeller@kbkllp.com" <tkeller@kbkllp.com>, Jane Kim <jkim@kbkllp.com>, "pbenvenutti@kbkllp.com" <pbenvenutti@kbkllp.com>

Good afternoon **Lorena Parada**, Courtroom Deputy and Calendar Clerk to the Honorable Dennis Montali, United States Bankruptcy Court

Northern District of California - San Francisco Division

There appears to be some confusion among the Docket filings regarding my scheduled hearing for 10:00am next Tuesday October 19th. I'd like to help you avoid making a mistake and taking my hearing off calendar without the authority to do so since the order you are referring to found on Dkt 11386 has been objected to, is opposed by me and is in violation of sanctions imposed upon any e-order filers. Sanctions restricting E-Orders to be filed upon my Claim and Motions were imposed as found on Dkt 11251 dated September 14, 2021.

I understand that there is no communications allowed with the courtroom Calendar Clerks except to inform you of my objection to, and opposition to, a form of order that is attempting to take my hearing off calendar without due process as found in "*Practices and Procedures 3-30-21.pdf*" of which file is Titled PRACTICES AND PROCEDURES IN JUDGE MONTALI'S COURT dated March 21, 2021. I did in fact send an email objecting to the form of order found on Dkt 11386 filed into the record on October 7, 2021. The filing of the illegal order was also two days after the deadline response date of October 5, 2021. My objection to the E-order was sent to you on Tuesday, October 12, 2021 4:59 PM and appears to be the same email you responded to attempting to take my hearing off calendar. There is an error by assuming the opposed order in Dkt 11386 is giving the authority to remove my hearing off calendar, which the order found on Dkt No. 11386 does not have any authority to remove my hearing off calendar and in no way conformed to due process as described within Dkt 11251 dated September 14, 2021.

My Hearing date did appear to follow the proper procedures of the Open Calendar Dates of the Bankruptcy Court and Judge Montali's procedures as scheduled on my **Dkt No 11174 dated August 8, 2021** and upheld by Court Order on September 2, 2021 found in Dkt 11183, and other related filings thereof.

Further details on this matter can be found by a previous filing of another illegal E-Order by an anonymous party attempting to take my hearing off Calendar found on Dkt 11244 filed on September 13, 2021. The illegal e-order was voided by Dkt 11251 dated September 14, 2021. Since the illegal and anonymous E-Order was a second attempt to take my hearing off calendar (*previous attempts found on Dkts 11135 and 11154*), the same filing of Docket 11251 imposed restrictions and sanction against anyone attempting to file an E-Order upon my Claim 87111. Once my matter has been scheduled for Calendar, any attempt to make any e-orders denying my Motions found within Dkt 11074 and subsequent filings related thereof, is against the Bankruptcy Local Rules 9021-1(a).

Case: 19-30088 Doc# 113264-1 Filed 10/30/22 Entered 10/31/22 08:11:52 Page 39
410357

The sanctions imposed upon the e-order filers restricted and disallowed any e-order to be uploaded on my Claim and motions without the wet-ink signature of Judge Dennis Montali. The E-order found within Dkt 11386 is in fact in violation of the sanctions imposed upon e-order filers put in place by Dkt 11251, and furthermore, the order does not bear a wet-ink signature of Judge Dennis Montali.

Therefore, The e-order on Dkt No. 11386 that is being referenced as the authority to take my hearing off the calendar as set for 10:00am on October 19, 2021 is not valid, has been objected to, opposed to, and has violated the sanctions imposed upon E-Order filers.

I have given notice according to due process and the rules of this court that the form of order is opposed and has no authority, and therefore, the hearing as set for 10:00am on October 19, 2021 should remain on Calendar as scheduled.

Ricky-Dean Horton

Claim No. 87111

[Quoted text hidden]

EXHIBIT 7

Cover page

The following 3 page PDF file is referenced as Exhibit 7 in Claimant's/Appellant's statement of issues and designation of records and is to be included in the record on appeal.

File name:

EXHIBIT 7 Gmail - 10-15-21 Ricky Horton and Lorena Parada re order and hearing date removal.pdf



Ricky D. Horton <rickydhorton@gmail.com>

PGE Case 19-30088 Cert of Service, VOID of Order 11386, Ricky-Dean Horton

3 messages

Ricky D. Horton <rickydhorton@gmail.com>

Fri, Oct 15, 2021 at 2:54 PM

To: Stephen.karotkin@weil.com, Jessica.liou@weil.com, Matthew.goren@weil.com, pbenvenutti@kbkllp.com, Jane Kim <jkim@kbkllp.com>, PGE Team <PGETeam@primeclerk.com>, tkeller@kbkllp.com, Thomas Rupp <trupp@kbkllp.com>, Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Current filing voiding Order 11386 and Upholding hearing set for 10:00am October 19, 2021

By Ricky-Dean Horton
Claim No. 87111



PG&E Case 19-30088 VOID OF ORDER 11386 HEARING DATE 10am October 19, 2021 Remains on Schedule.pdf
1950K

Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Fri, Oct 15, 2021 at 5:17 PM

To: "Ricky D. Horton" <rickydhorton@gmail.com>, "Stephen.karotkin@weil.com" <Stephen.karotkin@weil.com>, "Jessica.liou@weil.com" <Jessica.liou@weil.com>, "Matthew.goren@weil.com" <Matthew.goren@weil.com>, "pbenvenutti@kbkllp.com" <pbenvenutti@kbkllp.com>, Jane Kim <jkim@kbkllp.com>, PGE Team <PGETeam@primeclerk.com>, "tkeller@kbkllp.com" <tkeller@kbkllp.com>, Thomas Rupp <trupp@kbkllp.com>

Mr. Horton:

Pursuant to the Order Denying Motion To Reconsider Filed By Ricky-Dean Horton and Disallowing Proof of Claim #107857, Docket Number 11386, issued by Judge Montali on October 7, 2021, no hearing will be held on October 19 regarding your matter.

Sincerely,

Lorena Parada

Courtroom Deputy to the

Honorable Dennis Montali

United States Bankruptcy Court

Northern District of California - San Francisco Division

[450 Golden Gate Avenue](#), Mail Box 36099

San Francisco, CA 94102

Case: 19-30088 Doc# 113264-1 Filed 10/30/22 Entered 10/31/22 08:11:52 Page 32
440357

(415) 268-2323

Mail to: lorena_parada@canb.uscourts.gov

From: Ricky D. Horton <rickydhorton@gmail.com>

Sent: Friday, October 15, 2021 2:55 PM

To: Stephen.karotkin@weil.com; Jessica.liou@weil.com; Matthew.goren@weil.com; pbenvenutti@kbkllp.com; Jane Kim <jkim@kbkllp.com>; PGE Team <PGETeam@primeclerk.com>; tkeller@kbkllp.com; Thomas Rupp <trupp@kbkllp.com>; Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Subject: PGE Case 19-30088 Cert of Service, VOID of Order 11386, Ricky-Dean Horton

CAUTION - EXTERNAL:

Current filing voiding Order 11386 and Upholding hearing set for 10:00am October 19, 2021

By Ricky-Dean Horton

Claim No. 87111

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

Ricky D. Horton <rickydhorton@gmail.com>

Fri, Oct 15, 2021 at 6:18 PM

To: Lorena Parada <Lorena_Parada@canb.uscourts.gov>

Cc: "Stephen.karotkin@weil.com" <Stephen.karotkin@weil.com>, "Jessica.liou@weil.com" <Jessica.liou@weil.com>, "Matthew.goren@weil.com" <Matthew.goren@weil.com>, "pbenvenutti@kbkllp.com" <pbenvenutti@kbkllp.com>, Jane Kim <jkim@kbkllp.com>, PGE Team <PGETeam@primeclerk.com>, "tkeller@kbkllp.com" <tkeller@kbkllp.com>, Thomas Rupp <trupp@kbkllp.com>

Lorena Parada, Calendar Clerk To the Hon. Judge Montali,

There still seems to be some confusion and I'm attempting to explain things clearer in hopes that you can get a better understanding of why it cannot be removed from the Calendar set for Hearing at 10:00am October 19, 2021.

The order you are referring to is voided by Dkt 11435. The order has no authority to take my hearing off the calendar for many reasons. Also, the Order on Dkt No. 11386 appears to be referring to Proof of Claim #107857 and an invalid Dkt No. 11031. Claim No. 107857 is irrelevant to my hearing scheduled for 10:00am October 19, 2021.

My Docket filing of 11074 and 11174 and other Dkts pertaining to the information within the Dockets is what this hearing is regarding.

Case: 19-30088 Doc# 113264-1 Filed 10/30/22 Entered 10/31/22 08:11:52 Page 3
45 of 57

Please see current Dkt 11435 that helps to explain why My hearing cannot be taken off Calendar.

My hearing is to remain on the Calendar as scheduled for 10:00am October 19, 2021 and it is in regards to Dkts 11074, 11174 and other related filings to That Docket. Nothing to do with Claim 107857 or Dkt 11031.

Ricky-Dean Horton
PG&E Claim No, 87111

[Quoted text hidden]

1 Ricky-Dean Horton
2 751 Rosemary Court
3 Fairfield, California [94533]
4 Cell: 707-386-9713
5 RickyDHorton@gmail.com

6 **UNITED STATES BANKRUPTCY COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**

9 RICKY-DEAN HORTON, A LIVING MAN

10 Claimant/Appellant,

11 vs.

12 PG&E CORPORATION, (19-30088DM)

13 - and/or-

14 PACIFIC GAS AND ELECTRIC

15 COMPANY; (19-30089 DM)

16 Debtors/Appellees*

17 *Affects one or both Debtors

18 All papers shall be filed in the Lead Case No.

19 19-30088 DM

Bankruptcy Case nos:

19-30088 DM (Lead Case)

19-30089 DM

Chapter 11, Jointly Administered.

District Court Case: 22-cv-06367-HSG

Re: Notice of Appeal Dkt No 13084

NOTICE OF CORRECTION TO FILING
DATE TO CONFORM TO THE FILING
DATES SET FORTH BY THE
BANKRUPTCY COURT AND THE
APPELLATE COURT.

21 **NOTICE IS HEREBY GIVEN** that a correction to the filing date of

22 Claimant's/Appellant's Notice of Interlocutory Appeal found in Docket 13084, page 6, line 12

23 which states, "*Claimant/Appellant will file more definitive statements with his initial brief to be*

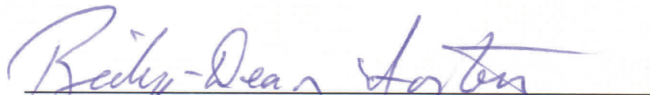
24 *filed with the United States District Court, Northern District, San Fransisco on or before*

25 *November 18, 2022.*" is corrected pursuant to the standard rules of procedures which shall follow

1 the filing dates prescribed by the US Bankruptcy Court Northern District of California and the 9th
2 District Court.

3
4
5 The filing date erroneously stated by claimant/appellant of November 18, 2022 is hereby
6 removed.

7
8 Dated this 7th day of November, 2022

9
10 
11 Ricky-Dean Horton, a living man
12 Claimant/Appellant



13
14
15 **CERTIFICATE OF SERVICE**

16
17 I, Ricky-Dean Horton, do declare and state as follows:

- 18 1. I am a creditor in the above-referenced chapter 11 cases.
- 19 2. On November 7, 2022, by CM/ECF filing on the Bankruptcy Court's Website, I
20 electronically filed the following documents with the Clerk of the Court by using
21 CM/ECF system (for Non-Registered ECF Filers):
- 22 a. *PGE Case 19-30088 Correction of dates in Dkt 13084 Appeal by Ricky-Dean
Horton.pdf*
- 23 3. I caused the same CM/ECF filing on the Bankruptcy Court's Website to be served
24 upon the interested parties as shown below:

25 **SERVICE LIST**

- 26
27 1. Attorneys for Debtors, WEIL, GOTSHAL & MANGES LLP

28 To:

WEIL, GOTSHAL & MANGES LLP

Via Electronic Email:

Stephen Karotkin, Stephen.karotkin@weil.com;

Jessica Liou, Jessica.liou@weil.com;

Matthew Goren, Matthew.goren@weil.com;

2. Attorneys for Debtors, KELLER BENVENUTTI KIM LLP

To:

KELLER BENVENUTTI KIM LLP

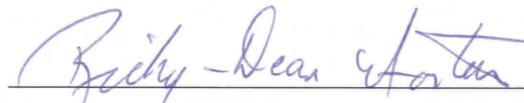
Via Electronic Email:

Tobias S. Keller, tkeller@kbbkllp.com;

Jane Kim, jkim@kbbkllp.com;

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct and that if called upon as a witness, I could and would competently testify thereto.

Signed this 7th day of November 2022, at Fairfield, California.


Ricky-Dean Horton, Claimant/Appellant

SEAL



Ricky-Dean Horton
751 Rosemary Court
Fairfield, California [94533]
Cell: 707-386-9713
RickyDHorton@gmail.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RICKY-DEAN HORTON, A LIVING MAN

Claimant/Appellant,

vs.

PG&E CORPORATION, (19-30088DM)

- and/or-

PACIFIC GAS AND ELECTRIC

COMPANY; (19-30089 DM)

Debtors/Appellees*

*Affects one or both Debtors

All papers shall be filed in the Lead Case No.

19-30088 DM

Bankruptcy Case nos:

19-30088 DM (Lead Case)

19-30089 DM

Chapter 11, Jointly Administered.

District Court Case: 22-cv-06367-HSG

Re: Notice of Appeal Dkt No 13084

Re: STATEMENT OF ISSUES,
DESIGNATION OF RECORDS ON APPEAL

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I, Ricky-Dean Horton, do declare and state as follows:

1. I am a creditor in the above-referenced chapter 11 cases.
2. On October 30, 2022, by CM/ECF filing on the Bankruptcy Court's Website, I electronically filed the following documents with the Clerk of the Court by using CM/ECF system (for Non-Registered ECF Filers):

a. Appeal statement of issues Designation of records dkt no 13084 Distr Court

case no 22-cv-06367-HSG.pdf

- b. EXHIBIT 1 Gmail - 7-27-21 through 7-31-21 Ricky Horton and Thomas Rupp (PG&E Claim #87111 - 93rd Omnibus Objection) email exchanges.pdfExhibit 2 email records COVER page.pdf
- c. EXHIBIT 2 Gmail - 8-02-21 Ricky Horton and Thomas Rupp Motions and court procedures to be corrected email exchanges.pdf
- d. EXHIBIT 3 Gmail - 8-04-21 through 8-09-21 Ricky Horton and Lorena Parada cc to Debtors Council and Thomas Rupp.pdf
- e. EXHIBIT 4 Gmail - 9-07-21 Ricky Horton and Lorena Parada to confirm 10-19-21 hearing date email exchanges.pdf
- f. EXHIBIT 5 Gmail - 10-12-21 Ricky Horton email to Lorena Parada re hearing still on calendar for October 19, 2021.pdf
- g. EXHIBIT 6 Gmail -10-12-21 through 10-14-21 Email exchange between Ricky Horton and Lorena Parada.pdf
- h. EXHIBIT 7 Gmail - 10-15-21 Ricky Horton and Lorena Parada re order and hearing date removal.pdf

3. On November 7, 2022, I caused the same CM/ECF filing on the Bankruptcy Court's Website (entered as Dkt no. 13136) to be served upon the interested parties as shown below:

SERVICE LIST

1. Attorneys for Debtors, WEIL, GOTSHAL & MANGES LLP

To:

WEIL, GOTSHAL & MANGES LLP

Via Electronic Email:

Stephen Karotkin, Stephen.karotkin@weil.com;

Jessica Liou, Jessica.liou@weil.com;

Matthew Goren, Matthew.goren@weil.com;

2. Attorneys for Debtors, KELLER BENVENUTTI KIM LLP

To:

KELLER BENVENUTTI KIM LLP

Via Electronic Email:

Tobias S. Keller, tkeller@kbbkllp.com;

Jane Kim, jkim@kbbkllp.com;

I declare under penalty of perjury under the laws of the United States of America, that the

1 foregoing is true and correct and that if called upon as a witness, I could and would competently
2 testify thereto.

3 Signed this 7th day of November 2022, at Fairfield, California.

4 *Ricky-Dean Horton*

5
6 Ricky-Dean Horton, Claimant/Appellant

7
8 SEAL



KELLER BENVENUTTI KIM LLP

Jane Kim (#298192)

(jkim@kbkllp.com)

David A. Taylor (#247433)

(dtaylor@kbkllp.com)

Thomas B. Rupp (#278041)

(trupp@kbkllp.com)

650 California Street, Suite 1900

San Francisco, CA 94108

Tel: (415) 496-6723

Fax: (650) 636 9251

*Attorneys for Appellees (Debtors and
Reorganized Debtors)*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

**Reorganized
Debtors.**

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Reorganized Debtors

** All papers shall be filed in the Lead Case, No.
19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

District Court Case No. 22-cv-06367-HSG

**REORGANIZED DEBTORS'
(I) RESPONSE TO APPELLANT RICKY-
DEAN HORTON'S STATEMENT OF
ISSUES AND DESIGNATION OF
RECORD, (II) APPELLEES'
DESIGNATION OF ADDITIONAL
ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL, AND (III)
RESPONSE TO MOTION FOR LEAVE
TO APPEAL**

[Related to Dkt. Nos. 13084 and 13136]

1 PG&E Corporation and Pacific Gas and Electric Company (collectively, the “**Appellees**,” the
2 “**Debtors**,” or as reorganized pursuant to the *Debtors’ and Shareholder Proponents’ Joint Chapter 11*
3 *Plan of Reorganization Dated June 19, 2020* [Dkt. No. 8048] (as it may be amended, modified, or
4 supplemented and together with any exhibits or schedules thereto), the “**Reorganized Debtors**”) submit this (i) response to the *Ricky-Dean Horton’s Statement of Issues to be Presented on Appeal;*
5 *and Designation of Record on Appeal; Certificate Regarding Transcripts* [Dkt. No. 13136] (the
6 “**Statement**”) filed on October 31, 2022 by Ricky-Dean Horton (“**Appellant**”), and (ii) designation
7 of additional items to be included in the record on appeal, in connection with Appellant’s *Notice of*
8 *Inerlocutory Appeal; Motion for Leave to Appeal* (“**Notice of Appeal**”) [Dkt. No. 13084] filed on
9 October 14, 2022, which appeals from the *Order Disallowing and Expunging Proofs of Claim*
10 *Pursuant to Reorganized Debtors’ Ninety-Third Omnibus Objection to Claims (No Legal Liability*
11 *Claims)*, entered on July 22, 2021 [Dkt. No. 10980] (the “**Order Disallowing Claims**”), by the United
12 States Bankruptcy Court for the Northern District of California (the “**Bankruptcy Court**”).

13
14 **I. RESPONSE TO STATEMENT OF ISSUES ON APPEAL**

15 Although the only order of the Bankruptcy Court attached to the Appellant’s Notice of Appeal
16 is the Order Disallowing Claims, the great majority of documents Appellant includes in his Statement,
17 as well as all eleven of the issues raised by Appellant, appear to relate to Appellant’s motion for
18 reconsideration of the Order Disallowing Claims, the Bankruptcy Court’s interlocutory orders relating
19 to this motion, and the final *Order Denying Motion for Reconsideration Filed by Ricky-Dean Horton*
20 *and Disallowing Proof of Claim # 107857*, entered on October 7, 2021 [Dkt. No. 11386] (the “**Order**
21 **Denying Reconsideration**”). In an abundance of caution, Appellants hereby designate items that
22 would be included in the record on the appeal of either the Order Disallowing Claims or the Order
23 Denying Reconsideration.

24 **II. DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN RECORD ON**
25 **APPEAL**

26 Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, the Reorganized Debtors
27 hereby designate the following additional items to be included in the record on appeal, which include
28

all exhibits and addenda attached thereto and filed therewith and all documents incorporated by reference therein:

Docket items from *In re PG&E Corp., et al.*, Case No. 19-30088 (DM):

Dkt. No.	Description	Date
263	Amended Declaration of Jason P. Wells in Support of First Day Motions and Related Relief	02/01/2019
8048	Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated June 19, 2020	06/19/2020
8053	Order Confirming Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated June 19, 2020	06/20/2020
8228	Order Approving (A) Procedures for Filing Omnibus Objections to Claims and (B) the Form and Manner of the Notice of Omnibus Objections	06/30/2020
10494	Order Further Extending Deadline for the Reorganized Debtors to Object to Claims and Granting Related Relief	04/05/2021
10811	Notice of Hearing on Reorganized Debtors' Ninety-Third Omnibus Objection to Claims	06/17/2021
10867	Certificate of Service of Alain B. Francoeur	06/28/2021
11073	Motion to File Documents Under Seal filed by Ricky-Dean Horton	08/18/21
11076	Certificate of Service filed by Ricky-Dean Horton	08/18/2021
11080	Extended Certificate of Service filed by Ricky-Dean Horton	08/18/2021
11158	Certificate of Service of Victor Wong	8/25/2021
11165	Certificate of Service of Joseph Ledwin	08/31/2021
11175	Certificate of Service of Ricky-Dean Horton	08/31/2021
11247	Certificate of Service of Ricky-Dean Horton	09/13/2021
11252	Certificate of Service of Ricky-Dean Horton	09/14/2021
11259	Certificate of Service of Liliya Kulyk	09/15/2021
11266	Certificate of Service of Sonia Akter	09/16/2021

Dkt. No.	Description	Date
11270	Certificate of Service of Alain B. Francoeur	09/16/2021
11378	Certificate of Service of Ricky-Dean Horton	10/05/2021
11414	Certificate of Service of Sonia Akter	10/13/2021
11437	Certificate of Service of Ricky-Dean Horton	10/15/2021

Proofs of Claim filed in *In re PG&E Corp., et al.*, Case No. 19-30088 (DM):

Claim No.	Claimant	Date
107857	Ricky-Dean Horton	07/28/2021

The Reorganized Debtors reserve the right to designate additional items for inclusion in the record or restate the issues presented on appeal.

III. RESPONSE TO APPELLANT'S DESIGNATION OF RECORD

In addition to designating docket entries and transcripts in the Chapter 11 Cases, Appellant's Statement refers to four "additional records" that Appellant asserts are in the possession of other parties, and seven additional exhibits Appellant attaches to the Statement.

The four "additional records" seek information regarding "the records of the author and/or origination of the order" for four orders prepared, signed, and entered by the Bankruptcy Court. Appellees submit that the Bankruptcy Court's orders speak for themselves and that there are no additional records to be included in the record on this appeal.

The seven exhibits are e-mail correspondence between Appellant and counsel for the Reorganized Debtors, and between Appellant and chambers. The Court posted certain e-mails between Appellant and chambers to the docket: Appellant's Exhibit 5 corresponds to **Dkt. No. 11415** and a portion of Exhibit 6 corresponds to **Dkt. No. 11434**, both of which documents already were designated by Appellant in his Statement. Appellees submit that only those documents actually filed with the Bankruptcy Court in connection with its ruling on either the Order Disallowing Claims or the

Order Denying Reconsideration are part of the record on appeal, and Appellees reserve all rights and defenses thereto.

IV. RESPONSE TO APPELLANT'S MOTION FOR LEAVE TO APPEAL

Although not properly raised in a separate pleading, Appellant's Notice of Appeal seeks other relief – namely, "leave to appeal." Although Appellant calls his appeal an interlocutory appeal, it is unclear whether he seeks leave to file an interlocutory appeal pursuant to Bankruptcy Rule 8004 or leave to file an untimely appeal under Bankruptcy Rule 8002. Out of an abundance of caution, the Reorganized Debtors briefly address these issues here, reserving all rights to present further argument as appropriate or as requested by the Court. With respect to the filing of an interlocutory appeal, the Reorganized Debtors submit that such relief is unnecessary, as both the Order Disallowing Claims and Order Denying Reconsideration are final orders. With respect to any request by Appellant to file a late appeal, such request is untimely. Bankruptcy Rule 8002(d)(1) provides that a party has only 21 days from the expiration of the time to appeal to request an extension if that party shows excusable neglect. The Order Denying Reconsideration was entered on October 7, 2021 – over one year before Appellant's filing of the Notice of Appeal. Therefore, the deadline to appeal either the Order Disallowing Claims or the Order Denying Reconsideration was October 21, 2021, and the last day to seek an extension under Bankruptcy Rule 8002(d)(1) was November 12, 2021 (November 11 being a holiday). Appellant's request for an extension included in his Notice of Appeal filed on October 14, 2022, was therefore made eleven months too late, and should be denied. The Reorganized Debtors intend to file a motion with the district court to dismiss this appeal on the basis that it is untimely.

Dated: November 14, 2022

KELLER BENVENUTTI KIM LLP

By: /s/ Thomas B. Rupp
Thomas B. Rupp

Attorneys for the Appellees (Debtors and Reorganized Debtors)